



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

W. Tayloe Murphy, Jr.
Secretary of Natural Resources

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Robert G. Burnley
Director

Steven A. Dietrich
Regional Director

STATE WATER CONTROL BOARD ENFORCEMENT ACTION AMENDMENT TO SPECIAL ORDER BY CONSENT ISSUED TO THE TOWN OF VINTON

SECTION A: Purpose

This is an Amendment to a Consent Special Order issued under the authority of Va. Code §62.1-44.15(8a) by the State Water Control Board to the Town of Vinton, for the purpose of revising certain provisions of the Consent Special Order issued by the State Water Control Board to the Town of Vinton on June 25, 2003.

SECTION B: Basis for Amendment

1. The Board issued a consent order to Vinton on June 25, 2003 ("2003 Order") requiring Vinton to study and correct inflow and infiltration in the Wolf Creek, Chestnut Mountain, and Lindenwood sewer systems. The Wolf Creek improvements have been finished and the preliminary evaluation of the Chestnut Mountain and Lindenwood systems have been completed ahead of schedule. The construction completion deadlines for these projects under the 2003 Order are February 15, 2005 for Chestnut Mountain and February 15, 2008 for Lindenwood.
2. Vinton completed a Preliminary Engineering Report for the Chestnut Mountain and Lindenwood sewer system repair projects in September 2004. In a letter dated October 19, 2004, Vinton reported that the Chestnut Mountain system is in much better condition than was expected, with only three manholes in need of repair. The Lindenwood system, on the other hand, requires the replacement of 45 manholes and 9,000 feet of sanitary sewer line. Accordingly, Vinton requested that the contract for repair work on the three Chestnut Mountain manholes be consolidated with the Lindenwood contract, with the construction completion deadlines for Chestnut Mountain to be extended by a year and Lindenwood to be shortened by eighteen months.

Amendment to Special Order by Consent
Town of Vinton

3. Therefore, the State Water Control Board and Vinton agree that it is appropriate to amend the 2003 Order as described below.

SECTION C: Agreement and Order

Accordingly, the State Water Control Board, by virtue of the authority granted it in Code §62.1-44.15(8a), orders Vinton, and Vinton agrees, that Vinton shall perform the actions described in Appendix A of this Amendment, which supercedes Appendix A of the 2003 Order. Both the State Water Control Board and Vinton understand and agree that this Amendment does not alter, modify, or amend any other provision of the 2003 Order and that unmodified provisions of the 2003 Order remain in effect by their own terms.

And it is so ORDERED this day of MARCH 18, 2005.

Steven A. Dietrich
For Robert G. Burnley, Director
Department of Environmental Quality

The Town of Vinton voluntarily agrees to the issuance of this Amendment.

By: [Signature]

Date: 1-12-05

Commonwealth of Virginia

City/County of Franklin

The foregoing instrument was acknowledged before me this 12th day of January, 2005,

by Kevin S. Boggess, who is Town Manager of the
Town of Vinton, on behalf of said Town.

Sanborn H. Jacobs
Notary Public

My commission expires: May 31, 2006

APPENDIX A

1. **Chestnut Mountain Subdivision Sewer System Evaluation and Repairs.** Vinton shall evaluate and repair the 8-inch gravity sewer line and any associated manholes serving the Chestnut Mountain area according to the following schedule: Not later than February 15, 2006, Vinton shall complete repair of the manholes serving the Chestnut Mountain Subdivision in accordance with the requirements of the Sewerage Regulations, 9 VAC 25-790-10 *et seq.* Vinton shall notify WCRO in writing within fourteen days of completing this project.
2. **Lindenwood Subdivision Sewer System Evaluation and Repairs.** Vinton shall evaluate and repair the sewer line and any associated manholes serving the Lindenwood Subdivision according to the following schedule:
 - a. Not later than April 15, 2005, Vinton shall submit to DEQ for review and approval a sewer rehabilitation work schedule for the Lindenwood Subdivision.
 - b. Not later than August 15, 2005, Vinton shall submit its first biannual progress report for this project to WCRO.
 - c. Not later than February 15, 2006, Vinton shall submit its second biannual progress report for this project to WCRO.
 - d. Not later than June 15, 2006, Vinton shall complete repair of the sewer line and associated manholes serving the Lindenwood Subdivision in accordance with the requirements of the Sewerage Regulations, 9 VAC 25-790-10 *et seq.* Vinton shall notify WCRO in writing within fourteen days of completing this project.